

Cauaranteed by the constitution of the united states. This action is brought pursuant to 42 u.s.c. \$1983. The court has Surisdiction over the action Pursuant to 28 u.s.c. \$1331, 1343 (3) and (4) and 2201.

#2., The unlaw Full Practices/Acts Alleged
herein were committed within the
Surisdiction of this court. Plaintiff,
Demands A Jury Frail to Resolve
These Issue(s) of Fact, and constitutional
violations.

### #3. , NO Previous Law suits By Plaintiff.

NO Previous actions have been instituted on the Facts Alleged herein. There is NO other Lawsuits in STATE OR FEDERAL Court, Dealing with the Same Facts involved in this Action.

### # 4. Parties to this Action

Plaintiff, Sonn P. Patterson # ODA 1953,
Acting Pro-se, is A Citizen of the united
states and In currently Incarcerated et
the Great meadou Correctional Facility
Mental Hearth Behavior Hearth unit
My H B. Hourd. At our Times Pertinent
nere in, Plaintiff was Incarcerated
at the Five Points Correctional
Facility, Residential mental Hearth
unit, [R. m. Hourd and was in the
Tive Points correctional Tacility
Intirmory when these violation
in this complaint occurred.

Page # 2 of # 46

A continue (Parties)

#5. DEFENDENT, Soel M. Patterson,

Sirgeant was at all time Pertinent

Neceio, is a sirgeant at Five Points

Correctional Facility, Box 400, STATE

Route 96, Romalus, New York 14541.

And is responsible for intermation, the

Supervisor of correctional officers [C.O.]

and Enmates, And At all relevent times

herein Defendants Wese Persons"

For Purpose of 42 4.5.C. Section

1983 and acted under color of Law

to deprive Plaintiff [ME] of his

constitutional Rights By Physical - E

Sexually Assaulting me and as set.

Forth more taking Below, and is sued

in his individual and official capacity."

Correctional differ at all times Pectional necesings As A correctional afficer at times Pectional necesings As A correctional afficer at time Points Correctional Facility, Box 400, STATE Route 96, Romulus New York, 14541 and is responsible for inter all a time and is responsible for inter all a timestes, and at all relevent times neces, but at all relevent times neces, of 42 u.s. c. Section 1983 and acted and extended and the color of Law to deprive and propose of 42 u.s. c. Section 1983 and acted and extended and supply sexually Assaulting necessary sexually Assaulting necessary in her individual and official" capacity

to Defendant, William s. Palmer, Correctional'
office (iataliatimes Perfinent nerein, is A
correctional officer at Five Points
correctional Facility, Box 200, STATE
Route 96, Romanis, F446

Dew York 14541. ead is responsible For,
inter avia, The supervision, care custedy,
and control of annates, And eat All relevent
times necess, detendants were Persons'
For Purpose of 42 U.S.C. Section 1983.
and acted under color of Law to deprive
Plaintiff [ME] of his constitutional rights
By: Physically Sexually Assaulting me
and by Sethort more fully
Below and is sued in his individual

#8., Defendant, MATHEW R. PTOTROWSKI,

Correctional OFFICER, at Five Points Correctional

Facility, Box Moo, STATE roule 96, Romanus

New York, 14541, And is responsible For,

inter alia, the Core, Custody, and control

of Inmales, and Al Au Relevent 9 ines herein,

Defindants were Persons For Purpose

of 42 4-5-c. Section 1983 and acted under

Color of Law to deprive [Plaintiff] ME

Of my constitutional rights By:

Physically sexually Assautting me and

as settorth more Fully Below and is

Sued in his individual and official

#9. Defendant, SONND L. Springer,
Facility Nurse et Five Points Correctional
Facility Nurse et Five Points Correctional
Facility New York, 14541. And is
responsible For, inter alia, The medical care,
and treatment

Pagety of HUG

Tacillaty, and At. All Relevent times herein defendants were Persons for Purpose of U2 U.S.C. Section 1983 and acted under Color of Law to deprive Plaintiff The of his Constitutional rights, and she was A Direct Participant in these constitutional violations by Not reporting my Physical Violations by Neglecting to properly me to report the Sexual assault against the to the proper Authorities, Also not treating Documenting my Thouses Correctly After I Endured A Physical & Sexual Assault by Said Defendants Stated above herein, and as setferth more fully selow and she is sued in her individual and official Capacity

TIO, DEFENDENT, New York STATE DEPARTMENT
OF CORRECTIONS, and Community
Supervision (Boccs) is and Arts tu
Revent Times herein defendants were
Person For Purpose of 42 U.S.C. section
1983 and acted under Color of Law
to deprive Plaintiff MEJ of his
constitutional rights, and was at
au Times revent hereto. A Public
Entity and an arm of the
state of New York and The custodian
of the Plaintiff and is sued in its

Page # 5 of 46

Cont.

# EXHAUSTION of Administrative Ren Edies

Plaintiff, Mr. Sohn Po Patterson # con 1953
Mas Filed an administrative Grisvance
about the matters complained of
nerein, soon As plaintiff [ME] was
released From the CEntral Dew York
psychiatric CEntee. E. Noya Pocolo and
Also Appealed it to Inmate Grisvance
superviser In Central Office, and has
Exnausted all Steps of the Grisvance
Process that was available to me.

[Please see: "Exhibit's [F/I/3/K/L]

#### STATEMENT OF CIA'M

DEFENDANT(S) STATED herein above,

"Sergent, Soel M. Patterson, Correctional
"OFFICERS), SHARI L. Kampnich;

William 5. Palmer, and MATTHEW

R. PIOTrowski ; with Facility

Durse SOANN L. Springer;

At all times herein, defendants)

were Persons' For Purpose of 47 u.s. c.

Section 1983, and acted under color of

Law to deprive Plaintiff [He] of

my Constitutional Right(s). Violating

my 8th Amendment right against

Cruel and unusual Punish ment, and

my 14th Amendment right, Equal Protection

of Law, For All reeson Set Forth

Above, and below.

Page H 6 of 46

#### FACTS OF THE CASE

#12, The Five Points Correctional Facility
is one of the three maximum security
Prison in New York STATE designated
to house serious [1,'s'] mentally III
["Innate Patients"] within what is defined
As the: Residential menteal Health Treatment unit [Routhet] Established &
mandated by the "SHU Exclusion Law"

# 13., OH NOVEMBER 22. 2013 I Was

In my Housing Cen in the R. malland.

IN Five Points Correctional Facility.

At accord I pm the mental Health worse

was making rounds in the unit to

administrate Evening psychiatric

medication to the Inmate-Patients

In the R. malland; As the mental

Health Nurse ms. Lisa Poyuzina

was giving Plaintiff [me] his

psych. meds. The Correctional officer

with her [C.o., Kimball] soid why

DO I, (Plaintiff) hove my pants down.

In Respose Plaintiff (me) stated:

stop Playing Games with me, I don't

nave my Pants down.

Lisa Poyuzina it my pants was infect clown, and she clearly stated No. I (Plaintiff) Then got Into & small Argument with Cookinball. And he (Cookinball) Threaten to take me, (Plaintiff) across the street. usually this ment pover to the medical unit Infirmary were the themedical unit Infirmary were there is No camera's

lage# 1 of# 46

and officers beat up [Assault] Inmate - patients/ Inmates In Five Points correctional Pacility

#15., At that Point I become Agitated, and succidal and I, (PlaintiFF) Broke my Classes and swallowed the Bows (Aims) to my Classes. Not A DEFENDENT But the R. moltiu. Sergeant that hight [bov. 22.2013]

3-11 pm Shift came to my cell and Laked me. what Happen. I, (PlaintiFF) tell the Romaliu. Sergeant that officer, c.o. Kimball is trying to set me up. (PlaintiFF) for Lewd conduct. and that He (c.o. Kimball) throaten me.

I, (PlaintiFF) told the Romaliu. Seegeant that I Fear his officers were going to do something to me. He then told me don't worry ain't Nobody going to touch me.

Please Note: I was never wrote A misse havior Report For Lewd Conduction 11.22.2013/or 11.23.2013, and the mental Health Nurse Ms. Lisa Poyuzina informed the mental Health Risk Crisis Treatment Program, (RCTP) (Suicide watch cell). Social worker, Ms. Johnson that I, (Diaintiff) never had my Pants down, nor was I exposed to her.

# 18 , ON November. 22, 2013 I wes

SENTHOTHEOUT-SIDE HOSPITAL, Cayuga medical

CENTER, IN I thaca New York, [CmC] At

Aprox. Ipm, So that I causo get en

Endoscopy, by gaing down my throat

so that they can remove the (Bow's)

to my Eye Glasses that I swallowed.

Page# 8 of #46

cont. [Facts]

I was then transported to the cayuga medical center In Ithaca Noy befordants) Matthew R. Piotrowski, and SHARIL- Kampnichi' C-0(5):

#17., The Doctor at [cmc] In Ithaca N.y.

could not do the medical Procedure

that Night, [Nov. 22. 2013] to remove

The Glasses From my stomach, so I

was sent week to Five Points corre

Facility with Defendants,

MATTHEW R. Piotrowski; and

SHAR: L. Kampnich, to return the

Next Dey at BAT Nov. 23. 2013 to

get the medical Procedure [endoscopy

Through mouth] Done.

#18 , Plainti FF, [ME] and Defendant(s)

MATTHEW R. Piotrowski, and sharil L
Kempnich got beck to Five points

Correctional Facility Nt Aprox. 1220 m

NOV. 23. 2013.

#19., ON NOV. 23. 2013 at 2 prox. 12. Am

I was escorted to the five Points Corr.

Facility Hospital/Intirmory by Defendant
MATTHEW R. Piotrowski, whole Defendant,

Kampnich Peturned The Facility transport

vehical, and weapon [Hand Gun]. upon

entering the Five Points Infirmary, officer,

Defendant William S. Palmer was

At the Desk, and I was piaced In the

Halding Pen in the Intirmary to await

For the mid-vight [12 Th] Intirmary

Nurse to take [Plaintiff] my vital

Sighs who was Defendant wurse"

Page# 9 of # 46

To the Five Points Corr. Facility Intimory,
The Area supervisor that Night was
"Defendant, "Sergeant, Joel M. Patterson,"
Who soined Defendants, "Piotrowski, and
"Palmer at the Intimory Front Desk
"Defendants" was soined by Defendant
Kampnich. "Defendant, "sergeant Patterson"
Ask who am I (Prointiti), and Defendant
Femporich Responds and Stales." He's
(Plaintiti) the Penis Flasher. I Plaintith
Stated to Defendant Sergeant Patterson"
That: I did nothing Like that.

#21, At that Point Defendant Durse's
Springer's came Into the Buil Pen with
Sefendant(s) Sergeant Patterson, C-or
Eampnich, C-or Palmer, and C-or
Protrowski' and she, Defendant, burse's
Springer Proceeded to take Plaintiff[me]
Vital Signs.

Defendant Sergeant Patterson Since I Swallow Some objects I had to spend The Night in the Dry-Cen Intil I get Them removed.

Note: A Dry-cell is A cell that he snothing I mait, NO Sink, NOT to inet of there is only A Bed-Frame, matterss, and your giving one smock to cover with, and it matt for the Bed, & one to cover yourself with.

Searched Fully for Contraband, Istandard Procedured

Stor to Prointiff, being nouse there. Been Exhibit 
Page 10 of # 46

### EXCESSIVE FORCE

## 23.) As the Intirmory officer, Defendant, william 5. Palmer, open up the Door to the Dry-ceu, I (Plaintiff) was told to step in [wote: At this time I was still hand-cuffed end chain-waist, and Also had Leg-Restraints on [Shackels]. without Lawful reason or Provocation, As I stepped into the Dry-cell, I was violently & maliciously Pushed Trem behind by Defendant sqt. Patterson' and at the same time I, (Plaintiff) was tripped by Defendant, C.o. Kampnick' who had Nothing but the level ent Intentions to Cause me has m.

#24. while Bound In hand-Cutts, end worst-Choin Laid Leg-restraint's [SHackels] I, Plaintiff Feel to the Floor very Hord. As my foce struck the hard cement Floor, un-Protected Because of my mechanical restraints I was Bound with. All I could do is try to turn my face to prevent the most server Demage to my Taces As I Hit The Floor.

#25, AS I (PlointiFF) Hit The Floor
Face First, Defendant William S. Palmer
Kicked moid the Left-Side of my
Face without Lawful reason or Provocation,
and Done maticiously & Sadistically, which
Serverly Fractured Plaintiff upper Left
molar tooth. [See: Exhibit Bi].
Because of the violent kick of
The Left Side of my Face, which Fracture
my upper Left molor down to my
Gums: [See: Exhibit B / Photo / SANE Exame].
The Facture weed so Server

Pagettil of #46

Page# 12 of # 46

Plaintiff am not able to Enjoy

the simple Every days Pleasures of Exercise, and Playing Sports due to The violent and Maticious Attack of Said Befondants above, and herein.
Plaintiff Is who much Pain to enjoy
Threse Simple Pleasures of Leisure.

#29, ATTER being Repeatedly Pinched
& Kicked by the Defendants stated
above. Plaintiff ME) was Then choked
by the Collar of my Shirt intil I
momentarily Passed out by Defendant,
Maythew & Protrowski.

#300 = Was awoke as I was
Stood up by the Defendants above,
Sgl. Patterson, c.o.(s) Kampnich, Palmer,
and Piotrowski, and my tace was
Shoved into the corner of the
wall of the Dry-cell with malicious
extreme force, from my tip and
mowth there was Blood on the
wall where they Defendants herein
Shoved my face

#34, I was then turn around, and was told to kneel on the bed so that the Leg-Restraints could be removed. Which Plaintiff, (He) Followed Defendants) orders.

#32. As I was told to Stand, Defendent, C.G. Kampnich Stoco to my light side
Holding The Collar of my Shirt, and
The Bottom of my Shirt French
Defendant Palmer, C.G., Held me Sust
Love Defendant Kampnich, But on my LeftSide. Defendant, Sqt. Patterson, stated

Page #13 of #46

Lawful reason of Provocation, said

Defindants 'sgt. Patterson, c.o. kampnich,

OB, c.o. Protrowski Intentionally yearled

Maliciously and Sadistically yearled

My Penis by reaching under med And then

I Feet A Small object. A Finger,

Jabbed and Penetrated my Anus

[Rectum] Several Fines. white

This was going on, [It was like A Blur]

I believe I was burting medicing are

upou Doing this, violating medicing something

to that extent As Defendant, c.o.

Plamer, Put his hand over my mouth

To Prevent me from screaming.

NOTE: I PlaintIFF Could not see

Directly behind me, But it was either

Defendant(s), Egt. Patterson, For

"OR" C. O. (S). Kampnich, OR" Piotrowski

who yanked and pulled my Penis,

while reaching under me, and Also who

Penetrated my Rectum several times

with there Finger or Small object,

Like walky talky Antenna etc.,

Because these Defendants where

the only ones behind me At the

time of Actual Penetration, SEE:

Exhibit BEB-Protos to see Tojury

"Also I was Hand-cuff behind me"

#36. At that foint I was choked out by my collar of my short again, and I momentainly passed out again.

Page# 15 of #46

#37, I [Plaintiff] Don't know how much time had laspes By. But I remember I regain consciousness As Someone was Banging on the Dry-cell Dogs. when I Looks & up I was A new "sgt" at the Door, and consciousness of offices.

Note: "Not A Defendant But there title and Names where, sgt. P. Brinkeroff, and correctional officer R. Berscock.

#38., Sqt. P. Brinkeroff told Plaintiff[ME]

that he must do A stripfrisk, and that
he weeded the Hand-Cuffs back. He

Ask the Plointiff [ME], Would I be A

Problem. I, [Plaintiff] STATED: I must
be Looked At by the wurse, Defendant,
JOANN L. Springer, I [Plointiff] stated: I would
Like to report A sexual Assault Because Defendant,
Sqt. Patterson, and the Other officers,
[Defendants], E. C. S. Keampnich, Palmer,

18 Protrowski). I didn't know there
names at the time. Sexually 8

Physically Assaulted me, end that

= need this sexual (Physical

Assaulted reported to the

proper Authorities = egt-Brinker
-off then stated?

Page # 16 08 # 46

"The Facility Nurse, Defendant, springer would be In Scow to See me and Tell nec"

The said Actions of Defendants "sgt: Patterson, 'c-c(s)' Kanpnich,
PIOtrouski, and Palmer, who where all Edvolved with This sexual and Prysical Lasaust, At all times herein, defendants) were Persons For Purpose of UZ U.S.C. SECTION 1983, and acted under color of Law, did deprived' Plaintit F (me) of my constitutional Right, by violating my 8th Amendment right against and tobe Free From Cruel and unusual Punishment, when the soid Defendants above without Lawful reason of & Provocation Bed physically Assaulted me, and sexually Issaulted me As STATE dabove hereto. The Defendants STATED above hereto actions where, and are abhorrent and repugnant to The Public Conscience.

> DENIED medical care/meatment INAdequate/Discrimination

Springer The Five Points Correctional

# 10 ON NOV. 23, 2013 A prox. 12: 15 Am

I. Plaintiff was Striped Down to

my Boxers shorts [underwear] the

petendant, burse springer Locked

me up and down and started towalk

Page# 17 of AUG

Out, I [Plaintiff] STATED to her that:

I was Sust Sexually Assaulted By The

Correctional efficers, and Also Physically

Assaulted. I lold her my back, head,

and Ribs hurt, and that my tooth was

Kicked out As well. But Defendant,

Springer, Facility Nurse) Just Blatently, Acted with Deliberate

Indifference when she, [Defendant

Springer] ignored Plaintiff [me], and

said yeah, yeah and walked out the

room on plaintiff [me].

#41., At that Point I, [PlaintiFF] was
giving one smock to wear, and two(2)
mattis. one to put on my Bed, and
one to cover with.

AFTER the Defendant, Springer (Durse)

Left my room, she come back two (2) minutes

Later to Plaintiff (me) room and Look to took

Out my Face which had bry Blood on it, and

Then Plaintiff (me) was giving & wet paper

Towel and was told to wip the Blood off

my Face. I (Plaintiff) then Look Defendant,

Springer. IF she reported my sexual

assault [Pre-complaint] to the proper

Authorities which she has an obligation

under Doccs to report such An Act of

Sexual Assault to be Investigated

on A Doccs Level [Control office], so that

I (AN go Through The proper Channels Buth

again I was ignored by Defendant,

Springer, Facility Nursel, so In A

Hopeless STATE I Loyed down and

Page # 18 0 / # 46

dryed to sleep, But couldn't one to Nightmares From what took Place that Night. The sexual Physical Assault upon me. Défendant ispringer, Neglected my most Besic medical need and treatment during that Time. and Also Discriminiated against PlaintiFF [me] Due to the Fact I plaintiFF I A Serious mentary ILL Innate Patient And A convicted Inmate-Patient. IF I was A Patient In Society, and come I For Freatment & reported A Sexuel Assault, Defendant, Springercumould have OR Should have seported such Allegation Fact's 90 STATE OF LOCAL POSICE. Defendant, springer, Inadequate treatment, Denied me medical Care and her actions were abharrent and repygnant to the Public conscience, and She violated my 8th Amendemot right to be Free Fren cruel & unusual punishment, & 14th Amendment under Equal Protection The sexual & physical Assault I suffer Server nightmares see: Fxhibit DM Also chanic neadaches[see:Exhib.E. Also I Suffured A reacture upper Left molar tooks and pass to my mid - Lower Back and Legs & Shins Isee: Exhibit: B Le Exnis Page HM OF # 116

medical Doctor at [CMC Ithose Divo] who was, "Ms. Sarry Sentone Then Notified The Dead York STATE POLICE, zovestigator GESSNE' And Also the Inspector General office, of my Claim of Sexual / Physical Assourt. That mappen at Five Roints C.F.

Holen The Inspector General Came to see me # [Plaint: FF] As I awaited For my medical Procedure to be done.

#4701 when The Enspected General arrived At Cayuga medical center (cmc] I ProintiFF 20 TECHES The Inspector General officer of The Fectual Claims within This Claim Itself, and what was wrote in my Grisvance ISEER EXHABILE I and Also what The Sexual ASSOUTE NUISE Exama Stated [See Exhibil B"

Rege # 20 06 # LHG

### Case 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 21 of 50 continedical I, [Plaintiff] Informed The Inspector Cheneral [I-G] officer HOW I was Sexually and physically Assaulted. He. [I.G.] ASKEDIME: eval to trabish to that I state I was I bed in Dove NO HE, E.G. ASKED ME IT I bit ONE OF The officers, [Defendants) = Told The I.G. OFFICE I diont Think so, And that things had beepen so Fest I my mind, and that when they stuck [ Befoodants) | Something in my rectum several Drimes Everything was a Blue and I could have bit down & Because of the Defendants had There hand over my mouth as I yelled, why are gudoing this e violating me, 'or' some-- thing to that Extent. LITER my report To Inspector General, He Left, [I.G.] #48, Also that morning, Nov. 23, 2013 et Aprox. 1020, I was giving A Sexual ASSOULT NUISE EXAM, and PHOtos was taken of Au visiable, a [NON-Visiable: Rectum/o S-A. N.E - PHOTO'S TONIS SEXUAL ASSOUT NUISE examotes. Des donctes A. Gualified S. A. D. S. Durise naned : MS. DOYCE BIEINEISS, JSEC. FXVIIOIT B" W/ PNONS

# 49., Aprox. & hours Prior, Defendant, Facility

Nurse of Five Points C.F., whole Is Her

Fols: Fied report that I had NO visiable

Injuries, Defendant, Johns 2. Springer

But after The Sexual Assamult nurse

Exam, Aprox. & hours After the Sexual

Physical Assamt See: Exhibit B') And

Due to Defendants Excessive, malicious,

and Sedistic Force Acts herein. I,

Page H 21 of H 46

| [Plaintiff] SUFFERED The Follow       | ing   |
|---------------------------------------|---|
| INJURIES: [INJURIES AS FOILOW of The  | e col   |
| S.A. N. EW(PHOTOS: of PlaintiFF" [me] | Paper Bloom or guessed shift of the Postaline or some |

1.)3 Small Rectal Tear's Noted NSC Small
amount of Bleeding
2.) Patient, [Plaintiff] has Abrosion
Lower Lip.

\*3.) Fracture of Left apper molar tooth.

Ha) Tender Reddish mid-Back

5.) Abrasion on Right Lower Leg

mid-Shin

6.) One Small Abrasion LL Extremity

SEE FXhibit B" W/Photo's

This Clearly Show's that Defendant,
SOAND L. Springer Facility Nurse Ductored
end Fals: Fied Sacrements, BEE ause
SEE: Exhibiting Thursereport Defendant,
Springer Said In mer report I had
NO physical Injuries on the night of
Nov. 23. 2013 at Aprox. 12 m, which as
In straight contradiction with
earlyga medical center report See:
Exhibiting 8 Exhibit No

#50-) ON DOV. 23-2013, Aprox 920 JOAN

The not the Endoscopy Dome through

my mouth to remove my Eye Classes

[Bow's] arms & swallowed the day

Befor [See: Exhibit "G"]

Page#22 of #46

# Case 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 23 of 50

# 50, AFter all Greatment ON NOV. 33.

2013 At Aprox. 130 pm = was sent beeck

To Five points Correctional Vacility

under Suicide watch, and under A

Camera order, where Every where I go

In the Facility, "of" out of Vacility, I

had to be on video phond-held concerder.

#51, From Nov. 22 - through DEC. 20.2013

Two steld under Suicide water and

Camera order Because of The Sexual

ASSAULT Physical ASSAULT Theident on

Nov. 23. 2013 on DEC. 20. 2013 I was

Sent to Central New York psychiatric

Center [C. N. Yo P.C.] of See: Exhibit H

T stayed In C. N. Yo P.C. Took Aprox.

3 months of And upon my request, I was

discharged on February 20. 2014, and

Sent to The Great meadow Correctional

Facility, and Placed In The mental Healthy

Benavioral Health unit [M/H, BoHou.]

#### EXHAUSTION OF ADMINISTRATIVE Remedies

#52, upon being released to the M/H

Bollow. Program At Greatmendow CotON February 20.2014, I Plaintiff

Filso my Grisvance Concerning the Sexual

Physical Assoult against me. I chearly

Explained the reason why my Grisvance

Was Late, I Plaintiff Explained how I

was on Suicible watch for 30 days 8

Then Sent Straight to Cont. Y. P. C. for Aprox.

3 months, and had no Access to Pen and

Page #23 of " your Straight and was Stated."

Page #23 of " your Stated."

The Grievance Prea-standard 115.51!

Basicary Stating that There is NO

Time Limit when It comes to Sexual

Assault Grievances, SEE: Exhibit F

#53,000 2.26.2014 I got A response from A ms. s. Pelo, Grievance Supervisor who returned my Grievance Stating it was un-timely, Per. Directive 4 your section Toh-6 (G)(L)(i)(a) [see: Exhibit I')

#54, I Plointite on Teb. 27. 2014. I sent
my Grisvance back to ms. Pelo (ICPS)
Bicause Captial, Graige Goodman Told me
to re-exploin why my Grisvance was Late, and
That He (aptin Goodman) would speak to
Her, [Ms. Pelo (ICPS)] Bees Exhibit I'm

#55- ON morch 81 2014 I, Plaintiff PECEIVED

A Letter back From Lt. D. Williams in
response from my Letter Dated. Feb. 21.2014

about my Late Geievance, and The
Re-submitting of my Grizvance. But the
Lt. D. Williams, Stated in response that
The un-timely I ssue will be up-Held'
and that there is NO Further
appeal to his decision. Sees Exhibit

#56 of Even though the Grisvance Lieutenant,

D. Williams Stated Sneed is no Turthere

Appeal process. I, Plaintiff took it A

Step Further to make sure I Extlandst

my Administrative Remedies, and wrote

A Letter explaining the reusens why my

Late Grisvance was put in, and sent MS.

Karen Bellamy Director of Inmate Grisvance

Program on 3.2.2014 & copy of my Grisvance.

SEE: Exhibit II

# 57, on morch. 13, 2014 I received

Lespense from 1/3. Karen Bellamy
Director of Inmale Grievance program

En central office Albany, D. yol and Sine

Ilso Bas: carry up-Heid the DECISIONS

Of Great meadow C. F. Grievance Supervisor,

Ms. S. Pelo, & Lieutsnant, D. williams and

STATED that the Inspector General office Finds

is Investigating the Sexual Physical Assout,

and to address I. Gio about the

Incident of Novi 23. 2013 | SEE Exhibit

#58 , = , Plointiff wrote to Prisoners

Legal Service of New York [Polos,/poy]

about my problems about the Inmate

Grisvance program not accepting my

Grisvance Program not accepting my

Melissa Leomis, Esq. told me that I

Finished Extlausting my Admonistrative

Remedies, and that I would receive

A response stating abot [Sec. Txh. bit Mi]

CONSPIRACH Falsifying

#590) Shortly after acciving at
Great meadow coto, From co Day, P. C.;

I Plaintiff OD, Or about Feb

march 2014 was signed with I misbehavior

Report [MBR] Luthored BD: Defendant sqt.

Soe! M. Pattersom, & co-signed by:

Defendant(s) C-O-(s) Kampnich;

Palmer, & PIOTOWSKI. Charging me

with 100.11-Assaul castaff. Jou.11

(violant conduct) 108.10 (Sirect order)

101-10 (Interference) 115-10 (Inmate Shall

comply w/ Frisk procedure) & Joy. 13 Creating A

Disturbance See: Exhibit Adv. 13 Creating A

Page# 25 of # 46

#60. ON Or about morch 2014 I was then Provided with A Vier Assistance and was Provided wy The use of Force Report [u-o.f.] anusual Incident report pusted and The medical report & to: From: Reports That I requisted to His Alleged Assault on STAFF on How 23.2013.

#61., Captain, Craige Goodman of the
Great meadow C.F. mental Health Behavior
Health unit. [MYH., B.H.-II] was ordered
to conduct A superintendent Tier III
heaving as the Plointiff (me) Alleged
Assault on STAFF By: Defendant (s)
STATED above herein

# 62, DEFENDant, Soel M. Patterson "sgt" and seid Defendant(s), E.o.(s) Kampnich. Palmer, and Piotrowski, Misrepresented The altercation on November, 23, 2013 between Plaintiff me and them, said Defendants Stated-above herein. By Falsely accusing [Plaintiff me of Initiating the attercation within there Misbehavior Report [MBR], USE OF FORCE REPORTS [U.O.F.] unusual Incident Report, U.I. and There; To-From' Reports. Also: Defendant JOARD L. SpringER, Misrepresented the \* Hercotion of Nove 23. 2013 by FalsiFying
The medical Report [SEE: Exhibit N']. Which she wrote In conspicacy withouterendant "sqt" Patterson, &c.o.(s) Kampnich, Palmer, & Piotrowski's that Plaintiff [me] had NO visiable Injuries, which is In Straight contradiction, of the sto cayaga medical CENTER [out-side Hospital] In Ithora D. V. medical & Sexual Assault Nusse Exam [s. n.n.e w/ Proto] Report[see: Exhibit ign/Protos]. Pagett 26 of H 46

#63, This Folse misbehavior Report

Was manufacture In conspiracy

between Seid Defendants, above herein,

Drioter To Attemp to cover up the

un Lawful use of Force against Plaintitt

[mc]. Because In course of this Sexual/

Physical Assault. That was unnecessary,

Sadisticly, and mediciously Dene without

Lawful reason, or Provocation. They knew,

"OR Should have known they were violating

my 8" Amendment right to be Tree From

cruel & unusual punishment, and the

equal Protection of Law under The

14" Amendent of the united STATES

Constitution.

#640.) CA OF about Feb/Morch 2014,

CAPTAIN, Graige Goodman STATIED

TO conduct the Tier III Displinary

Hearing Fee the Aurged Assault upon

STAFF By Plaintiff, [me] ON Nov. 23. 2013.

Which STATED above that this misbehavior

report was concocted Inorder to Cover

UP The Sexual Assault upon me Plaintiff.

#65, Captain, Goodman, Causo my First
witness, Defendant, Kempnich", who
oral Statement was In contradiction
with the writtens report, upon me
trying to question said Defendant,
Kampnich, The nearing office Goodman"
would not such me to question the
Defendant As to her Lie's & Blatant
Contradiction of oral & whitten, testimony/
STATEMENTS Will a phone testimony

## Case 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 28 of 50

#66. The Dispute between [Plaintiff]

8 Hearing officer, [Goodman'] Lasted For about Aprox. 2 minutes As to me questioning my witness. Denfendant, Kampnien, and Hearing afficer abruptly hung up the phone on Defendant, Kampnieh. And told me He is going to adjourn the Hearing and tomorrow to call my Next witnesses.

# 67., OD OF about march/April 2014,

2 Neeks after Mrestart of the Hearing,

CAPTOR Goodman (Hearing Officer) Informed

Plaintiff, that due to Defendant,

Kampnich = n can sistant, and conflicted

Oral statement via phone, compared to

The written report of Nov. 23. 2014,

Me has decided to dismiss the Hearing.

I praintiff Informed from I need the

Mearing Tape numbers & the Hearing

disposition. Captoin, Goodman (Hearing

Officer Soid I would receive It

To The Mail, Which I Never got,

For MBR OF Now. 23. 2013.

#68, I then Plaintiff Ask Caption Goodman, why did the Disamiss
The Hisberrovies Report MBRI out of my Attendance, and Not provide me with the Disposition, & Tape
Number. But I was ignored.

HIY, I Plaintiff out of Trustration

and Hopelessness contacted Prisomer's

Legal Service of New York (P.L.B. of N.Y)

about my Grievance & Fier(3) W/Captoin

Goodman, [See: Fxhibition].

Paget 28 of the

COST / MBR/ #69 ON morch 21, 2016 Without Never REceiving The Disposition of the Alissid Nov. 23-13 Incident, Nor Jape H numbers Note: I was Bounced around Frem 2013 40 2016 I Plet In A FOIL Request You The mar, woofo, but reports and to Froms Reports, As well As The Disposition & Tape number From the Alleged Assoult on STAFF by Plaintilt on Nov. 23.2013. #10 , I PlaintiFF didn't get & Proper & Primery response, so I Filed A Grisvance on 4.14.2016. Breause TOTA DIFFICE OFFICE AT ATTIES CORE. Tac. Failed to respond to my request of 3.21.2016 For the Documents ef The Megso Assoult of Nov. 23=18 BEE EXPORT DE 471, 00 or about April 27.2016 3 received A response From Grisvance Which STATED? The Envestigation INTO this shows that FOIL afficer said there are Ho such Documents to give to Grisvant Maintiff For Ahis Present 1983 Action I Thrown Away, our to me tiling Lay Swit's and most of my Documents was rast [SEE: Exhibit O] Pagetza of # 46

Case 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 29 of 50

# 73.) I Plaintiff again out of despoir

Confected Prisoners Legal Service of

New York, and was Lucky to

Find out that they had has extica copy

of the "missenever report" [mars],

"use of Force, [u.o.F], "unusual Incident

Pepart fine I abercated "Alleged"

Assault by Plaintiff [me] agaisnt

Defendants, ON NOV. 23.2013.

# TY. During This Time I wrote

Polis of New York, about problems

W/ my Tier III(3) hearing, and

Grisvances; And I pecering and

From ms. Hellissee Loomis, Isq.

Telling me she called Great meadow

about my Tier III (3) hearing of Nov.

23. 2013 and that it was still

pending. Therefore Showing that

there was A Tier III hearing Tor

there was A Tier III hearing Tor

the Incident of Nov. 25. 2013 That

Some tow vanished See: Exhibit MI

& Also Exhibit M', and then Exhibit P

Hose Defendants above, Defendant, sont
Pattersop, and Defendants Cross
Kampnieh, Patmer, and Protrowski,
With Defendant, Facility Nurse;
SoAnn, L. Springer, and privious
Disprissed Defendant captions
Goodmand All Conspired to make
All the Document to the Incident
of Nov. 23. 2013 misbehovier report

Pese# 30 of# 46

| ranish, Becaus captoin Goodman<br>raco that pelendant, SHARi L- Kampnich |
|--|
| b+ the fier III 3 Hearing gave oral                                      |
| Testimony Wighenone and ried on  |
| Record, and here oral testimony  |
| was Inconsistent, & In Straight  |
| contradiction with the written reports                                   |
| The Hearing Officer readized with  |
| Défendants) Stated above hérein,   |
| That This Hearing Tape could be<br>very strong Evidence against them     |
| very strong Evidence against them  |
| Trever prought befor A court   |
| of Law & Civil matters. Because<br>Eneilt was False & Fabercated         |
| Chell Mes False & Fabel Cated  |
| From the Start, to cover up the  |
| Sexual/Physical Assault against Plaintiff, By Said Defendantesabove      |
| meretial had come to dicht Durine  |
| The oral testimony, That of Defendant,                                   |
| Kempnich, The misbehavier reports  |
| of Nov 23-2018 was not true already                                      |
| her Bleatant Lies on Record.   |
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### CLAIMS FOR RELIFE AND COUSE FOR ACTION.

Paragraphs # 1 to 75 here in corporate

# TT-, The actions of defendants, Jack Ma Patterson, "sgt, Defendants) C.o.(s)" SHART L. Kampnich, William S. Palmer, and MATTHEW R. PIOTROWSKI, W/ Facility murse JOANN L. Springer were/and are abhorrent and repugnant to the Public Consciences

# 78, At all times necess, defendants) were "Persons For Purpose of 42 4.5.c. Section 1983 and acted under color of Law,

HT9, Defendant, Sergeant, Patterson, and November 23, 2013 et Aprox. 12:45 Am, without Lawful reason of Provocation, moliciously Sadistically, como un wanton, and unnecessory Pushed me From benind as & Plaintiff was Bound In Hand-Cuff W/ chain waist, and 2 eg-Restroiots], AS I Was GrippEd Simultaneously by Defendant'co" reamporeh As my Face Struck The Hard cement. Defendant, syt Patterson Porticipaled In Ahis Sexual and Physical Assoult upon me by Kicking, and Punching me, and Possibly one of the Culperts who stuck His Finger, worky Falky Antenna or other small object In my Rectum, DISC Detendant Soft Patterson Exercises deliberate Indifference to my health & Salty by Feiling to Protect Plaintiti [me]

Page#32 of #46

when He [sqt. Patterson] stood by and did

Not Intervene so stop the misuse of Force,

and Illegal Sexual and physical Assault by

his Subortants, Defendant(s) C.C.(s) to a

Kempnich, Patmer, end Protowski. which

constituted crue! end unusual Punish.

ment on violation of my eighth (8th)

Loned ment right under the united states

constitution, and Applicable Shrough

The State under the Dew York STATE

constitution Article 1.85.

#80. Defendant, e.o. Kampnich, on Nov. 23.2013, At Aprox. 12: 45 Am, without Lowful reasence Provocation, maliciously, and sadistically and unnecessary gripped me, Simultaneously As Defendant, set. Patterson Pushed me, and aided In This misuse of Force by 2100 Punching & xicking me while Bound In Hand-cutts, in wait chain, 8 Leg-Restraints, Defendantic. C. Kampnich Participated In This Sexual ASSOUT & Physical 255ault, & Possibly one of The culprits who stuck Her Finger, walky Talky Antenna, or small object In my Rection, and Exercised deliberate yttes & allosed you are 32037377.60Z by Failing to Intervene and Protect Plointiff Enel From this Illegal Sexual & Physical Assout by other Defendants Involved herein - which constituted Cruel and unusual punish-- ment In violation of my eighth Eth 2 state & string under the united State's constitution, and Applicable through New York STATECONSTITUTION AFFICLE 1-85

Page#33 of # 46

## Case 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 34 of 50

# 81 Defendant ¿ o Palmer, os NOV. 23. 2018, A+ Aprox. 12:46 Aco without Lawful reason or Provocation, maliciously and sadistically and Unoscessory Kicked me to the Left-Side of my Face few hear Defendant sqt. patterson pushed me from behind, and Osegant dungment is I tooked me From the side Simultaneousliss
As = 20488 00 the Floor Bound In Full restroints [Hond WHITS, W/ Defendant ci Palmer ricked out my sett apper mola: Hoots, and Aunched & xicked me with Defendant sqt. Patterson. & C-co(s) Kempnich & Protocouski, and Then Heid me prone of The Floor Assuche of the Defendants who was behind me [3ct: Patterson, c.o.: PICTOWSK; or corresponds stack there tringer or walky talky Antong or Small object En my Rection, Defendant, C.C. Pulmer 320872771601 21-2120116 626:27378X8 to my Health & Sefty by Failing to Stop or Intervene to Protect Plaint FE (me) From the Illegal Sexual 8 (Drysical Assout by the other DEfoodon V) Envolved herein, which constituted Cruelead consuct Roishment To violation of my Eighth [830] Amendment right under the united states constitution, and Applicable Through New York STATE constitution Acticle 135.

Page 34 of # 46

#82.) Defendant c.o. Protrowski, on Nout 1001 - 23 - 2013, At Aprox. 1245 Am, WITHOU Lawful reason, or Provocation. Maliciously, Sadistically and unscessory Punched and Kicked me and Participated In this sexual and Physical Assault with other said Defendants herein 1894. "Patterson" 2.0. (5) Kempnick & Palmert. who All punched and kicked me apon my Body Head, Ribs, Back, Legs and So-- Forth. As Defendant Palmer Heid me down Prone on the Floor While Hand-- CUFFEE behind my back prefendant PIOTOWSKI IS POSSIVELY one of the culprit's who stuck his Finger, walky falky Antenna for & one small object up my Rictum Several Dimes, Because Les Defendant Palmer heid me prone on the Fices with his kneed on my FUCE I could not see behind me, and Defendants 'sgt-Pattersen', c.o. (s) Kampnich' ar Protrowski had to be the one who yanked my penis, and stuck Something In my RECTURD [PlaintiFF] - LISO-Beferdant, C.O., PIOTROWSKI, 32033377ibox stersdiles 032isax3 to my Health & Safty by Failing 21/ STE por Intervene In 9his misuse of Force & to protect Plaint-- IFF (me) From the Flegal Sexual and physical Assoult by the other Defendants Involved here in which constituted cruel and unusual Punishment In violation of my eight loder the united STATES constitution, and Applicable Through Nov. STATE constitution Article I 85. Page#35 of #46

# 83., Denfendant, Sommed & Springer,

Five points tacility Nurse, AN R. N."

Employed By Docces, ON NOV. 23. 2018

At Aprox. 1246Am, Exercised deliberate

Indifference to Plaintiff (my) condition

and health by tailing to provide

adequate medicul treatment and care

Tollowing the Sexual and Physical

Assault by Defendants) sigli-Palterson

& C.o. (s) teampnich, Palmer, and

Protrowski, Defendant, Springer

Intentionary and not, and neglected

to properly report the Sexual

To ber: As AD Internal Procedure

Note: As AD Internal Procedure

I secus, when A sexual Associat

Is reported to Any STATE, It must

be reported to the proper Authorities

to be investigated by A sergeant

8 licutement first involved with

The sexual Issould and report those

Tinding to medical, superintendent,

I Inspector General Office.

Due to the Defendant, Springer

Neglecting to report my Sexual Assault

complaint, was AN Act at Discrimination

The vicilation of my Equal Profection

under the united states constitution

Her not giving me A proper medical

Exam, and administer medical

Streatment to my Bruises, cut

Lip & the migraine headache, and

Also I suffered Extrem Emotional

Oistress AN Anguish From Defendant,

Springer Lack of Care

Page#36 of H46

Defendant, Springer, IN An Attempt to cover up the assections made by Plaintiff, Defendant, Springer doctored Todary Reports To And Nov. 23. 2013 Tacident, where I was Sexually Soulted, Bad utalized misrepresentation when describing Estat I had NO physical Injuries At that time, Defendant, Springer Retaleated organist me For exercising my 1st Admendment Right [Petition For A redress verballed BECause = reported
The Sexual Assault and Physical Assault By The ofcrementioned Defendants) Ru here Letions ( Defendant, Springer), she Exercised deliberale =ndifference to my Health and softy by Failing eto provide[Plaintiti) [me] with Adequate medical ASS: Stone which constituted Cruel end unusual Pinishment IN violation of my Eighth (8th) Amendment Right under the united States constitution, and Applicable Through N. Y. STATE constitution Article 1850, - NISC Due to Defendant Springer Conspiring with the ather setendants sgl. Patterson, C.O.O. teampnich, Palmer, and Protrouski to cover up the Sexual & proxs: cal Assault by Failing False reports, and Discriminating Due Go In A mentally ILLIAmate Patient, Defined As No Secred 1'5) mentally FIL Inmate/Patient victorial
my Eight 8th I God Fourteenth [1418] Ancolments under the united STATES COSTITUTION.

Page # 31 of # 46

## AS AND FOR A FIRST

Paragraphs I to 83 herein.

#85 The Actions of Defendant(5),

'Sgt.' Soci M. Patterson', C. G.(S)

SHARI L. Kempnich", "William

S. PALmer", "MATTHE R. Piotrowski"

and Sive Points C. F.", Factity Nurse"

"Soran L. Springer" are abtorent

and represent the The Public Conscience;

and constitute Crimes under the

D. y. Penal Law.

[II] ntent of framers of the Cruel and unusual Punishment clause was to Proscribe barbarie, tonturous Punishment ... geossly disproportionate to the Crime. People v. Broadie, 37 N.Y.

2d. 100, 371 N.Y.S. 2d 471, 332 N.E.

2d 338, certionari denied 423 u.S.

950, 96 S.ct. 372, 46 L.Ed. 2nd 281.

#850) Plaintiff was incapable of Forming the requisite intent for consensual sexual relations, Even discounting the use of Physical Force and Threats of

The effect of the Legislative

declaration of incapacity to

consent is to Expose the culpable

employee depending on the nature of the

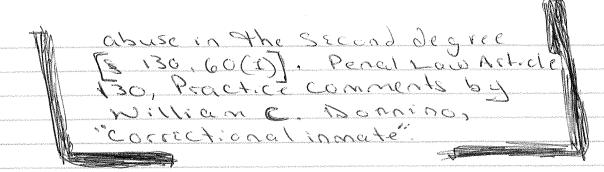
conduct, to liability For sexual misconduct

[\$130-20(1) and (2)], rape in the third

degree \$ [130-25(1)], sodomy in

third degree [\$130-55] and Sexual

+ agra 38 of AAR



#86, Mr. Donning Preceds this
Statement by Informing us that it is
consensual Several relations that are
thought to be deterred. As the
Facts Show, that is not the Cose here.
The Sexual relations ore very obviously
Torrible and, therefore, Should Expose
defendants syt. Potterson; & dies kampnich,
"Palmer" & Durse, Springer" to A
higher degree of culpability.

Correctional officers were not entitled to qualified immunity as to en inmates \$\$ 1983 claim of an Eighth Amendment Violation The inmate and laughed while A second officer Grabbed the Inmate's buttocks and Fundled his Pens; at the Time of the search, That works cready established that an combined po otherwise Legal Search that was conducted in a harassing manager intended to humiliate and inflict psychological, Pain was unconstitutional Quener v. Huibsegtse, 421 F. Supp 20 1149; see also coronado V- Lefever, 886 T. Supp. 220; Rodriguez. V. Mc Clenning, 399 F Supp. 220. Peset 39 of the

# Case 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 40 of 50

Schwenk v. Hockford, 204

F. 3d 1187; Gonzales v.

Martinez, 403 F. 3d 1179;

Boxer X. v. Harris 437 F.3d

1107, reneoring en banc denied,
459 F. 3d 1114 Certiorari

denied zect WL 957244

#87., Moreover, it is essential

Defendants ramposis his palmer;

Protrouse and springer; be

held to the same Standard as

Defendant Syt. Patterson; as they

were in a Possition to prevent the

commission of a constitutional

[O] we who is giving a badge of

authosity - may not ignor

the duly impossed by his office

and tail to stop other officers

who summority punish A third

Person in his Presence or

Otherwise within his knowledge:

[emphasis added] Byrd v.

Brishke, 466 F-206; ser

- Also-yang v. Harolo, 31 F-30

282; Turner v. Hurbregtse supra

#88, Additionally, Defendantisgt.

Patterson knew of the activities
and Proclivities of the Individuals

Involved in this instant actions

# 240 0 4 11 46

" When the Stole takes a Person
into its custods and holds
him there agaist his will, the
constitution imposed up its
corresponding duty to assume,
some responsibility for his
safty and general well being"
william v. Goord, 142 F. Supp.

#### State Law claim

#89 Plaint: Frinvokes this court's

Surisdiction Pharsmant to Rule 18(0)

of the Frederal Rules of Civil

Procedure and 28 u.s.c. & 1367

To near and adjudicate Claims

arising out of the actions set
Forth above that violate rights

and duties established by the

Laws of the state of New York,

to wit: Sexual misconduct [Penal

Law (P.L.) & 130. 20(1) end (2);

Rape in the Third Degree [P.L. & 130.

25 (1)]; Sodomy in the Third

Degree [P.L. & 130. 55]; and

Sexual Abuse in the Second

Degree [P.L. & 130. 60(1)].

Han The diseatment of Plaintiff

by Befendants Stated necein &

above was Intentional and with

the purpose and Intent of cousing

Plaintiff severe end grievous

mental and emotional horm in

violation of the common Low of

New York

Page H 41 of H46

#### RELIEFREQUESTED

# 90.) WHEREFORE, Plaintiff, Bonn P. Patterson # oon1953] Request that the Court grant the Following Relief.

A. Award compensatory damages

# 1 a \$ 500,000.00 against Defendant, Sct. Seet M. Patterson, For the physical, mental, Emotional, and psychological Pain/Anguish = Suffers iso to the officeale Endifference IN his Pacticipation In The Sexual and physical Assould upon me Prointiff, violating Plaintiff 8th Incoment eight 90 se Free From Cruel & Unusual punishment, Also For Foiling to intervene 8 Stop such Assault against me, sexual (Physical) and conspiring To Falsity A misbehover report 90 Cover/JustiFy The Excessive Force against Plaintiff, and such additional relief of kny constitutional and statutory viciation aliged herein.

# 2. # 500,000.00 against Defendant,

C-C. Stari L. Kampnich, For the physical,

mental, Emotional, and psychological

Pain/Auguish I suffer De to the

deliberate Indifference IN Ner

Participation In this Sexual and

physical Assault upon me [Plaintiff].

Violating Plaintiff & Amendment fight

# 115 of # 116

#### 

con [Claim/relief/Action]

to be tree from cruel & unusual Punishment, blow for Foiling to Enlevene

8 Stop Such Assault egainst me
[Sexual (Physical) and conspiking to
Falsify A missendier report to cover/
Sustify the excessive Force against
Plaintiff, and such additional relief
of Any constitutional and statulory
Violation aliged herein.

H3., 500,000.00 Each, against
Defendants, C.O. william S. Palmer
and Mathew R. Pittowski, For
the physical, mental, emotional, and
psychological Poin/Anguish I
Suffer Do to the dilberate patient
Indifference IN Both of them
Participating In the Sexual and
Physical Lesault upon me [Plaintiff],
Violating Plaintiff 8th Lowerdment
Tight to be Free From Cruel and
unusual Prishment, Also For
Foiling to Intervene and stop such
Assault against me [Sexually Physically]
and Conspiring to Falsify
And Conspiring to Falsify
There excessive Force against Plaintiff
and such additional relief of Any
Constitutional and Staturay Violation
alleged herein

# 4, 10,000.00 against Defendants
Sonsol Springer, Facility nurse
For Denying Plaintiff Himely and
adequat medical core/ Freatment and
For Partaking In the Conspiracy

Page # 43 of # 46

conti [Cloval relief (Action) to cover up the sexual Assault, and not report my statement of a sexual Assault to the proper buthorities: Petition Verbany and Niso conspiring and abeting & albating seid befordants herein/above with covering up There sexual & physical Assoult, by Steting In her Fabricated Report I nod No Edjuries, But as contridicated by official reports. That was not The case]. Defendanted AbtEd with Delibrate FoldiFFErence by Mot tomery treating me, and Also Violated may just Amendment right with soid Defendants who Also Violated my lyth amendment right by FalsiFing and such additional relief of Any constitutional and Statutory violation alleged herein, B. Award Poritive Damages IN The Following emounts: #1 25,000,00 against sof Palterson 2. 15. occ.cc against Defendant "C.c." Kanparch" #3-15.000.00, ago: nst Defendant c.c': Palmer PICTICUSKI C. INJUNCTIVE RELIEF Page # UN of # 46

Case 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 45 of 50 contiction / Relief (Action) C- continued Instrumetion Relief Relief be croer to the Extent
Fract plaintiff should not be allowed
to enter the premise of Five Points

Correctional Facility while this
Law Suit HZ U.S.C. & 1903 IS Still pending Due tos Still pending Due to:

# retaliating against Plaintiff For

bring This Suit against Defendants

neceios. By Assault and mail

tampering & Tood Tampering which

Are tactics to Stop my Litigation.

Those Assault's and resaliating tactic

are A Common Issue At Tive

Points C.F., and that A Single isolated

Issue, And There Exist Alike
Tihoodiand A Substantial, and

immedate risk to millionth immedate risk to my Health & Staffy IF Placed back In This Focilit [Five Peints] while Litigation geing on DOWNIERE FORE, PlaintiFF respectfully request that this court order Reimburstment of Plaintiffe Fres, Cost, and expenses of Attorney
Tees incurred in connection with Prosecuting Sthis Action

F. Good Such other relief as it may appear that Plaintiff as sotitled.

Posch 45 of 4 46

| Constitution and design  | se 1:16-cv-00844-EAW-HKS Document 12 Filed 05/08/17 Page 46 of 50  |
|--|--|
| in the state of th |  |
|  |  |
| 4  | I am the Plaintite John  |
| and the second   | ? Patterson # coals3, Parsmant   |
| Andread Barrier and  | to 28 USC. 3/746, I declare  |
| 15   | inder Penalty et Perdyr  |
|  | hat the Foregoing is true and  |
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| 200000000000000000000000000000000000000  | ADM attorner   |
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|  | John P. Pattesen H coal  |
|  | Goed neadow C.F.   |
|  | mental Heart Mu/H  |
|  | Benevier Health unit   |
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| P. Andrews of the Control of the Con | of May   |
|  | 1 Annual of the second of the  |
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|  | Edward C. Carpenter  |
|  | Notary Public, State of New York   |
|  | Qualified in Washington Co. No. 01CA6193364  |
|  | My Commission Expires September 15, 202C   |
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|  | Page Hub of Hub  |

### VERIFICATION

The Forgeing Complaint
made Pursuant to Title 424.S.C.

\$ 1983 is true & Correct, Complete,
and not ment to mislead to
The best of Plaintiff [affant's]
Knowledge and belief, and made
under the penalties of Perjury
of Pesury of the STATE of New York
and The united STATES of America

John Latterson

Schaffer Patterson

M/H B.H. u.

Box SVGreat meadou C.F.

Comstock N. y. 12821

me this Day 1st of May 12 cut Of May 12 cut Notory Public

Edward C. Carpenter
Notary Public, State of New York
alified in Washington Co. No. 01CA6193364
maision Expires September 15, 20\_2

Page# 1 of#1

Document 12 Filed 05/08/17 Page 48 of 50 Great Meadow Cifs BOY SI Comstock 19. 4. 15851 TO: Clerk of The court united STATES Westren Sistrict court Zeo U.S. CourtHouse Decket No. 1:16-CV-00844 2 Niagara Square 2000 FT CC F Re: Amen ded complaint Buffalo N. y. 12821 Sale 1/4y. 5-2017 Dear Clerk of the Court Sir/Maidam, This Low Library Sent my complaint Back W/out Typingit, and making my copies As requested. Personally I believe it never made it to the Law Library, I came beck AFTER Almost 31/2 weeks, and w/ No response. This Facility knows In Litigating, and actually I have A pending state Claim against this prison for Aseparate ISSUE From 2014, and These officers are trying there best to sabatage my 26 tigation By most tampering. med not making it out/or sometimes Coming IN- I get Legal mail on 3-16-17 From someone, I sign For it and the Envelope was Empty. Let me knew when you receive this Amended Complaint. How. Alizabeth A. wolford



DECISON & Order do my First 4:180 complaint was to Submit An AmendEd Complaint By MAY.14-2017 I am untamilar with now 40 do Grand I TE Word Inche I Should Send my Exhibits back with my Amended complaint or not. I read A 274418 About Amending complaints But couldn't really under-Stand it. So I get An Inmate-Patient who said He knows how 900 do this, and I set Him Helpine & I Follow His Instruction. IF I did Anything wrong, could The court Please Direct me so that I may correct and deficiency IN my Amended Complaint. Again, could you Reasonotify me when In RECEIPT of This Letter and Amended complaint. Due to mail Tampering By These Cois Playing with my most Thank you For your time Humbly & RESpectfullo

